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PTO/SB/64 (09-04)  
Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

First named inventor: KEJHA ET AL.

Application No.: 09/911,036

Art Unit: 1745

Filed: 07/23/2001

Examiner: Carrol Chaney

Title: Manufacturing Method and Structures of Electrodes  
for Lithium Based Electrochemical Devices.

Attention: Office of Petitions  
Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
FAX (703) 872-9306

01/12/2005 MAHMED1 00000038 09911036

01 FC:2453

750.00 OP

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee + \$65.00

☒ Small entity-fee \$ 685.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☐ Other than small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of AMENDMENT & request for Cont. of Examination (identify type of reply):

- ☐ has been filed previously on \_\_\_\_\_  
☒ is enclosed herewith.

Adjustment date: 01/12/2005 MAHMED1  
12/10/2004 AMONDAF1 00000017 09911036  
02 FC:2622 -685.00 OP

B. The issue fee and publication fee (if applicable) of \$ \_\_\_\_\_

- ☐ has been paid previously on \_\_\_\_\_  
☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## 3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Joseph B. Kejha, David Chua, Hsiu-Ping Lin Jan. 6, 2005  
Signature Date

JOSEPH B. KEJHA, DAVID CHUA, HSIU-PING LIN  
Typed or printed name

Registration Number, if applicable

1022 FREDERICK Rd.  
Address

(215) 947-8019  
Telephone Number

Address

MEADOWBROOK, PA. 19046  
Address

Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☐ Other: \_\_\_\_\_

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

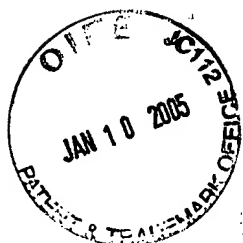
☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (703) 872-9306.

January 10, 2005  
Date

Joseph B. Kejha  
Signature

JOSEPH B. KEJHA  
Typed or printed name of person signing certificate



**IN THE UNITED STATES PATENTS AND TRADEMARKS OFFICE**

In re Application of  
JOSEPH B. KEJHA, DAVID CHUA & HSIU-PING LIN  
Serial No. : 09 / 911,036  
Filed : 07 / 23 / 2001  
Title : Manufacturing Method and Structure of Electrodes  
for Lithium Based Electrochemical Devices

Art Unit: 1745  
Examiner: Chaney, Carol Diane

**LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA. 22313-1450

Meadowbrook, PA. 19046  
January 7, 2005


Sir :

In the above matter in response to the Petitions Examiner's action of December 22, 2004 (two months reply period) applicants respond as follows :

1. Additional fee \$ 65.00 is enclosed , as requested by the Petitions Examiner.
2. New form of Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137 (b) is enclosed , and now it is signed by all three inventors, as requested by the Petitions Examiner.

It is believed, that this correction places the Application in condition for revival and continued examination.

Respectfully submitted,

  
Joseph B. Kejha  
(applicant)



EU 737685135 US

**CERTIFICATE OF MAILING UNDER 37 C.F.R. SEC. 1.8 (1)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail #EU 737685135US in an envelope addressed to the Mail Stop Petition COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA. 22313-1450.

January 10, 2005  
Date of Certificate

Joseph B. Kejha

In re Application of  
JOSEPH B. KEJHA, DAVID CHUA & HSIU -PING LIN  
Serial No. : 09 / 911,036  
Filed : 07 / 23 / 2001  
Title : Manufacturing Method and Structure of Electrodes  
for Lithium Based Electrochemical Devices

Art Unit: 1745  
Examiner: Chaney, Carol Diane

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Commissioner for Patents  
P.O. Box 1450  
ALEXANDRIA, VA. 22313-1450

Meadowbrook, PA. 19046  
January 7, 2005

Sir :

In the above matter, enclosed herewith please find :

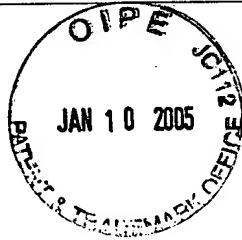
- (1) Letter dated 1-7-05.
- (1) Petition for Revival of Application Abandoned Unintentionally.
- (1) Check \$ 65.00 , Petition for Revival of Appl. Add'l. Fee.
- (1) Copy of the Letter from the Petitions Examiner.
- (1) Post card receipt .

Respectfully submitted,

Joseph B. Kejha  
JOSEPH B. KEJHA ( applicant)  
1022 Frederick Rd.  
Meadowbrook, PA. 19046  
Tel. 215-947-8019



UNITED STATES PATENT AND TRADEMARK OFFICE



Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

JOSEPH B. KEJHA  
1022 FREDERICK ROAD  
MEADOWBROOK, PA 19046

COPY MAILED

DEC 22 2004

OFFICE OF PETITIONS

ON PETITION

In re Application of  
Kejha et al.  
Application No. 09/911,036  
Filed: July 23, 2001  
Attorney Docket No. JBK-10

This is a decision on the petition under 37 C.F.R. § 1.137(b), filed December 8, 2004, to revive the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration must be submitted within TWO (2) MONTHS from the mail date of this decision. No further petition fee is required for the request. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." This is **not** a final agency action within the meaning of 5 U.S.C. § 704.

This application became abandoned for failure to timely reply to the final Office action mailed March 11, 2004. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, this application became abandoned on June 12, 2004.

A grantable petition under 37 CFR 1.137(b) must be accompanied by:

- (1) the required reply,
- (2) the petition fee,
- (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional, and
- (4) a terminal disclaimer and fee if the application was filed on or before June 8, 1995 or if the application is a design application.

Where there is a question as to whether either the abandonment or the delay in filing a petition, under 37 CFR 1.137 was unintentional, the Commissioner may require additional information.<sup>2</sup>

<sup>1</sup> In a nonprovisional application abandoned for failure to prosecute, the required reply may be met by the filing of a continuing application. In an application or patent, abandoned or lapsed for failure to pay the issue fee or any portion thereof, the required reply must be the payment of the issue fee or any outstanding balance thereof.

<sup>2</sup> See MPEP 711.03(c)(III)(C) and (D).

The instant petition lacks item (2). Petitioner submitted \$685.00 towards payment of the petition fee. However, on December 8, 2004, the petition fee was increased to \$750.00. **Accordingly, in order to revive the above-identified application, an additional \$65.00 must be submitted.**

Further, papers filed in an application must be signed by:

- (1) An attorney or agent of record appointed in compliance with § 1.34(b);
- (2) A registered attorney or agent not of record who acts in a representative capacity under the provisions of § 1.34(a);
- (3) The assignee of record of the entire interest, if there is an assignee of record of the entire interest;
- (4) An assignee of record of an undivided part interest, and any assignee(s) of the remaining interest and any applicant retaining an interest, if there is an assignee of record of an undividing part interest; or
- (5) **All of the applicants (§§ 1.42, 1.43 and 1.47) for patent, unless there is an assignee of record of the entire interest and such assignee has taken action in the application in accordance with §§ 3.71 and 3.73.**

The instant petition submitted on December 8, 2004, was only signed by one of the three inventors. The signatures of the remaining two inventors must also be included if a renewed petition is filed.

Further correspondence with respect to this matter should be addressed as follows:

By mail:                      Mail Stop PETITIONS  
                                    Commissioner for Patents  
                                    Post Office Box 1450  
                                    Alexandria, VA 22313-1450

By hand:                      Customer Window located at:  
  
                                    U.S. Patent and Trademark Office  
                                    220 20<sup>th</sup> Street S  
                                    Customer Window, Mail Stop Petitions  
                                    Crystal Plaza Two Lobby, Room 1B03  
                                    Arlington, VA 22202

By fax:                        (703) 872-9306  
                                    ATTN: Office of Petitions

Any questions concerning this matter may be directed to the undersigned at (571) 272-3206.



Liana Chase  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy